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Cabinet seeks to better define agents

Would include third parties who shop prospects to institutions

Gary Brown, NCAA

Last Updated - July 26, 2011 12:24 GMT

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An expanded definition of agents proposed by the Division I Amateurism Cabinet would include third-party influences, including family members, who market student-athletes' athletics ability or reputation for personal financial gain.

The cabinet at its recent meeting in Indianapolis agreed to sponsor legislation for the 2011-12 cycle that would define agents as individuals who either directly or indirectly:

- Represent or attempt to represent a prospective or current student-athlete in the marketing of his or her athletics ability or reputation for financial gain; or
- Seek to obtain any type of financial gain or benefit from securing a prospect's enrollment at an institution or a student-athlete's potential earnings as a professional athlete.

The new definition would include certified contract advisors, financial advisors, marketing representatives, brand managers or anyone who is employed by or associated with such individuals.

NEXT STEPS

- The Amateurism Cabinet's proposal is reviewed by the Division I Leadership Council on Aug. 2.
- The proposal enters the Division I legislative cycle for 2011-12.
- The Division I Legislative Council gives the proposal its initial review in January, at which time it could approve the proposal or send it out for membership comment and then reconsider it for final approval in April 2012. The proposal carries an immediate effective date.

The new definition also would apply to third parties, including family members, who shop prospects to various institutions for personal financial gain. In the past, the agent definition applied generally to third parties marketing an athlete's skills to a professional sports team. The cabinet's proposal expands the definition to include people marketing athletics skills to a collegiate institution for personal gain.

The cabinet's report was careful to distinguish between parents with legitimate inquiries and those who are acting improperly. The report said: "The cabinet noted that this proposal is not meant to capture parents or legal guardians, athletics department staff members, former teammates or those individuals who have the best interests of a prospective student-athlete or student-athlete in mind from assisting or providing information to a prospective student-athlete or student-athlete provided they do not intend to receive a financial gain for their assistance."

NCAA President Mark Emmert made the agent issue a top priority in his first State of the Association presentation at the 2011 NCAA Convention. "It's wrong for parents to sell the athletic services of their student-athletes to a university, and we need to make sure that we have rules to stop that problem," Emmert said. "Student-athletes are students. They're not professionals. And we're not going to pay them. And we're not going to allow other people to pay them to play."

Amateurism Cabinet chair Mike Rogers, the faculty athletics representative at Baylor, called the NCAA's current agent regulations "under-inclusive." He said the cabinet believes an expanded definition is needed to capture an "industry of individuals," including runners, financial advisors, marketing representatives, business managers, brand managers and street agents who act as brokers for their own personal financial gain.

"Historically," Rogers said, "contract advisors recruited student-athletes individually and late in their careers when they were transitioning from collegiate sports to the professional ranks. Over the years, though, as pro salaries have risen and the notoriety of elite student-athletes has increased with scouting and media exposure, the interest of outside third parties has become greater than ever.

"Although many governing bodies have attempted to impose regulations on these individuals and their activities, the competitive nature of the industry has resulted in finding ways to skirt the rules. These third parties operate free of any governing body's jurisdiction, and historically they do not trigger the NCAA definition of an agent. For the NCAA to regulate these individuals, the cabinet believes the definition of an agent must be expanded."

The proposal comes after months of review and discussion from both the cabinet and the Division I Leadership Council, which will review the cabinet's proposal at its Aug. 2 meeting.

Both groups began discussing the issue at length within the last year. While agent issues aren't new to the NCAA membership, several high-profile cases over the last year raised the bar on regulating them. Soon after taking the reins of the enforcement program last fall in fact, new NCAA Vice President Julie Roe Lach heard from the membership that the interaction among agents and agent representatives and student-athletes was a primary concern.

Rogers said the cabinet acknowledged some of the concerns about expanding the definition, such as making it so broad that it could mistakenly sweep up high school and even college coaches who actually had the best interests of their student-athletes in mind (a previous attempt from the NFL/NFLPA/AFCA working group generated that reaction). The NCAA enforcement staff has said, though, that the financial gain a person received for representing a student-

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athlete would have to be significant enough to warrant their attention.

The proposal, which comes with an immediate effective date, will enter the 2011-12 legislative cycle and be formally considered when the Legislative Council meets in January. The proposal could be approved at that time, or it could be sent for membership comment and reconsidered at the end of the legislative cycle in April.

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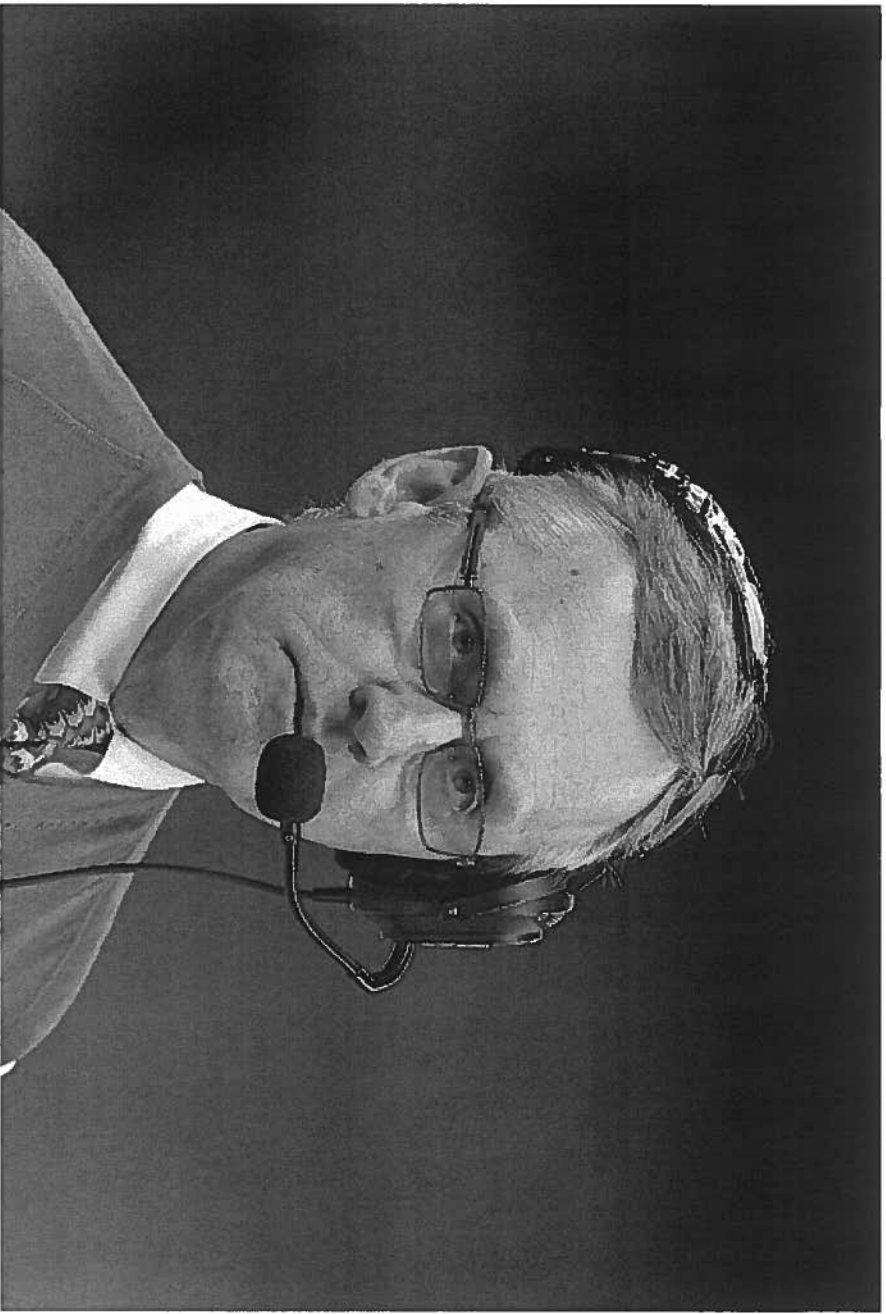
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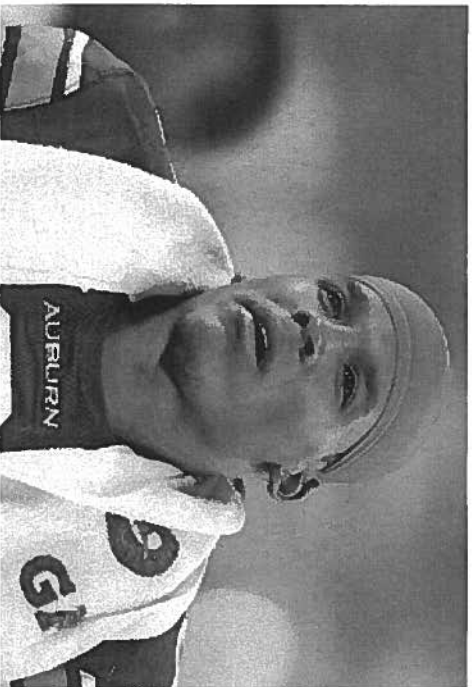
Matthew Stockman/Getty Images

The NCAA has had countless examples of scandals thorough its history. Their have been examples of point shaving scandals in college basketball dating back to the 1950's. The issue of improper benefits has received a lot of attention in recent years due to the Reggie Bush and USC controversy. This same issue brought the death penalty to the SMU Football program during the 1980's and revoked the University of Miami of its powerhouse status in the 1990's. In college basketball, it turned Jerry Tarkanian's Runnin Rebels from a national powerhouse to a punching bag for the Big West Conference, and dramatically changed the legacy of Michigan's Fab Five.

However, in the last week it seems like controversial NCAA scandals have made just as many headlines as Charlie Sheen and Muammar Gaddafi.

It began with a report that the NCAA was looking to see if the Oregon Football team improperly recruited running back Lache Seastrunk. Seastrunk allegedly received \$25,000 for signing with Oregon.

Yesterday, Ohio State head football coach Jim Tressel was suspended for the first two games of the 2011 season and fined \$250,000 for lying to the university about his knowledge of none other than a scandal involving improper benefits. Quarterback Terrelle Pryor and four of his Buckeye teammates were suspended in December for the first five games of the 2011 season after selling their bowl game memorabilia and receiving improper benefits from a tattoo parlor.



Christian Petersen/Getty Images

Then, today with the Big 12 Basketball tournament beginning tomorrow, Baylor freshman Perry Jones has been suspended indefinitely for you guessed it improper benefits. Jones will likely go in the top ten of the NBA Draft this June and may never again suit up for the Baylor Bears.

It's hard to believe all these allegations can surface in a week. What's more difficult to understand is how all these alleged incidents are still occurring after the events of the last 12 months.

Heisman winner Cam Newton allegedly tried to receive \$180,000 from Mississippi State during his recruiting process. Cam was ruled ineligible for a few days, but the decision was quickly overturned when the NCAA determined his father Cecil was the one trying to get the \$180,000 and that Cam had no knowledge of the actions. Auburn won the BCS Championship and some people feel these allegations could resurface.

SEC Football experienced more than just Cam Newton scandal in 2010. This summer Georgia wide receiver A.J. Green, Alabama defensive Marcel Dareus and South Carolina tight end Wesley Saunders all received suspensions related to improper benefits. Green was suspended four games for selling his bowl game memorabilia. Dareus was suspended two games for receiving improper benefits related to contacting an agent at a party in Miami. Wesley Saunders was suspended indefinitely after he had improper contact with an agent at that same Miami party and improper benefits from a Columbia hotel.

Are scandals of improper benefits now an epidemic for the NCAA?

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Tennessee head basketball coach Bruce Pearl was suspended for eight SEC conference games for lying to NCAA investigators about improper recruiting practices after he had three recruits at his home for dinner. Pearl also lost \$1.5 million in salary, has had his use of campus recruiting practices restricted and Tennessee could still face more penalties.

The Memphis basketball program was placed on three years probation and had to vacate its 2008 NCAA championship game appearance. The NCAA made Derrick Rose retroactively ineligible after his SAT was ruled invalid. It is alleged that Rose had someone else take his SAT for him.

After more than four years of allegations that keep resurfacing in the media every few months, the USC Trojans football team received heavy sanctions because of improper benefits that Reggie Bush received. USC was forced to vacate two wins from the 2004 season and all of their victories from the 2005 season. The Trojans were banned from a postseason play for two seasons and lost

30 scholarships over the next three seasons. Bush later vacated the Heisman Trophy, USC athletic director Mike Garret resigned and Pete Carroll left the program to go coach the Seattle Seahawks. This scandal has put a large asterisk on one of the most exciting teams and arguably the greatest game in college football history.

Most of these incidents mentioned above have happened within the last year. One would think that coaches and players alike would be more cautious of issues such as improper benefits because of all the outcomes of the scandals at schools such as USC and Auburn. Evidently, the events in recent days show that this is far from the case. It seems inevitable that these scandals will continue to occur as long as their is an NCAA.

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Alabama may be latest school entangled in growing player-agent scandal

Posted by John Taylor on July 20, 2010, 6:39 PM EST

Along with a couple of other web entities, we reported over the weekend that the tentacles of an investigation involving players' relationships with agents that began in North Carolina and branched out to South Carolina could ultimately grab hold of additional schools in the coming days and weeks.

With that as a backdrop... hello defending national champion Alabama! And less than 24 hours before the start of the SEC's media days, no less.

According to [Mark Schlabach](#) and [Ivan Maisel](#) of *ESPN.com*, Alabama officials are investigating the presence of Tide defensive lineman [Marcel Dareus](#) at an agent's party in [South Beach](#) earlier this year. Multiple sources told the website that the school is attempting to ascertain whether any NCAA rules were broken on Dareus' trip to Miami.

Tide head coach [Nick Saban](#) confirmed the probe, saying that "our compliance people are looking into it."

NCAA investigators have interviewed several members of the North Carolina football program in the past several days, as well as South Carolina tight end [Weslye Saunders](#), in regard to trips to South Florida and who exactly paid for flights, hotels and other expenses.

This is all on top of former Florida offensive lineman [Maurkice Pouncey](#) — who was expected to release a statement Tuesday but will wait until his former coach [Urban Meyer](#) speaks at the conference's media day Wednesday — reportedly receiving \$100,000 from the runner of an unnamed agent before the Gators' Sugar Bowl win this past January.

All of the agent brouhaha has Saban ready to go medieval on his former stomping grounds and bar NFL teams from stepping foot onto campuses if the league and the NFLPA can't get the agents under control.

"What the NFL Players Association and the NFL need to do is if any agent breaks a rule and causes ineligibility for a player, they should suspend his [agent's] license for a year or two," Saban said. "I'm about ready for college football to say, 'Let's just throw the NFL out. Don't let them evaluate players. Don't let them talk to players. Let them do it at the combine.' If they are not going to help us, why should we help them?"

"Right now, agents are screwing it up. They are taking the eligibility of players. It's not right that those players do the wrong thing. We have a great education process here. We have a full-time worker who meets with players and their families and does everything else."

Even if he's merely saber-rattling when it comes to banning NFL clubs, Saban is 100-percent correct; something needs to be done as it pertains to player agents and their contact with student-athletes.

Either the NCAA needs to pay players so that the benefits currently being offered to X number of players isn't as tempting — ain't happening — or the NCAA and their member institutions need to put into place draconian rules that will in some way possibly help ensure that the few bad apples who give all agents a bad name are kept away — as much as humanly possible, anyway — until the players have exhausted their eligibility or declared for the NFL draft.

There's simply no middle ground in this situation; either engage in an all-out war against *all* player agents or pay the players. One of the two.

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NCAA probe into UNC football program 'sounding very serious'

Posted by John Taylor on July 16, 2010, 1:12 PM EST

With the start of North Carolina's 2010 regular season a mere 50 days away, head coach **Butch Davis** and athletic director **Dick Baddour** may have a bigger concern than the Tar Heels' offense once again dragging down a stellar defense.

As you have no doubt heard by now, the NCAA has launched an investigation into UNC's football program. Specifically, the organization is looking into [football players' relationships with agents](#) and whether any illicit benefits changed hands.

A tweet from *SI.com*'s **Stewart Mandel** sounds ominous enough in and of itself — *The UNC agent situation sounding very serious. I'm told NCAA has spent months compiling evidence.* — but, when coupled with a “report” from a certified agent, it portends a very USC-like situation going on in Chapel Hill. Only on a much larger scale.

Agent **Darren Heitner** has posted an intriguing — or, if you're a Tar Heels fan, chilling — piece on the *SportsAgentBlog* website and, citing unnamed sources, [has made some damning claims](#) as to the scope of those alleged to be involved in wrongdoing and the extent of illegal benefits that may have been received by current UNC players.

So when Joe Schad tells the world that there is a serious NCAA investigation taking place at UNC, sports agents who may be affected should begin to contact their attorneys. Schad notes that Defensive tackle Marvin Austin was a football player who was interviewed. I have a source who tells me that Austin was only 1 of 13 players who have been interviewed — this is far reaching. And it does not only extend to a number of players. The same source tells me that there are a lot of agents that may have dirty hands, including

both NFLPA Certified Advisors and marketing agents. Some are being examined more than others.

It is apparently beyond just in-person meetings, rent payments, and travel expenses. We are potentially talking about all expenses paid trips to South Beach, exorbitant amounts of money dropped on accessories, and perhaps even a Bentley or two.

Obviously, the investigation is in its infancy, and literally nothing has been proven thus far.

However, if even some of the allegations are remotely close to being the truth, the sheer scope of what's being alleged would put the USC/Reggie Bush scandal to shame.

And, given the near-historic sanctions levied on the Trojans' football program, that's not the type of characterization anyone associated with the heretofore squeaky-clean UNC athletic department wants to hear.

(Tip O' the Hat: [SI.com's Andy Staples](#))

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47 Responses to "NCAA probe into UNC football program 'sounding very serious'"

1. [SoFlaTrojan says](#): Jul 16, 2010 1:32 PM

This going to be interesting to watch. I know as a USC fan we felt like the punishment didnt match the crime. If the UNC situation was worse than USC should they expect the death penalty?

On one of the USC sites today a mod said there was an investigation going on that was bigger than both the USC or UNC investigation.

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2. [buckeye044 says](#): Jul 16, 2010 1:56 PM

SoFlaTrojan

Punishment might not have fit the crime, but the attitude of the USC athletic dept and players involved had a lot to do with the sanctions, one would have to believe.

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3. [edgy says](#): Jul 16, 2010 2:02 PM

It's ironic that Butch was hired to take over a dirty program in Miami and he brought it back and now, he's headed the other way.

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4. [WingT says](#): Jul 16, 2010 2:02 PM